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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

2008 APR 10 THE 4:45 PM
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
) No. 08 cv 820
 v.) Judge Joan B. Gottschall
)
 DARRYL MOODY.)

GOVERNMENT'S MOTION FOR EXTENSION OF TIME

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, moves this Honorable Court for a twenty-eight day extension of time within which to file its response to the defendant's 28 U.S.C. § 2255 motion, from April 9, 2008, to and including May 7, 2008.

The Assistant United States Attorney assigned to this matter is currently attending a training class and will not return to the office for approximately two weeks. Additionally, the US Attorney's Office for the Northern District of Illinois did not receive an electronic notice of the Court's March 12, 2008, order requiring the government to respond by April 9, 2008. As a result, a response has not been timely responded.

For the above-stated reasons, the government respectfully requests that this Court extend the date in which the government has to respond to defendant's motion to and including May 7, 2008.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: s/ Anthony P. Garcia
ANTHONY P. GARCIA
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IN THE
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CERTIFICATE OF SERVICE

I, Anthony P. Garcia, hereby certify that on April 9, 2008, I caused a copy of the foregoing GOVERNMENT'S MOTION FOR EXTENSION OF TIME, to be served upon the following by first-class, postage paid mail:

Darryl Moody
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U.S.P. Hazelton
P.O. Box 2000
Bruceton Mills, West Virginia 26525

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

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